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Attorneys for Plaintiff  
Lisa Marie Gurule

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

LISA MARIE GURULE,	)	Case No.: 2:24-cv-01078-EJY
	)	
Plaintiff,	)	<del>STIPULATION AND PROPOSED</del>
	)	ORDER FOR THE AWARD AND
vs.	)	PAYMENT OF ATTORNEY FEES
	)	AND EXPENSES PURSUANT TO
MARTIN O'MALLEY,	)	THE EQUAL ACCESS TO JUSTICE
Commissioner of Social Security,	)	ACT, 28 U.S.C. § 2412(d) AND
	)	COSTS PURSUANT TO 28 U.S.C. §
Defendant.	)	1920
	)	
	)	

TO THE HONORABLE ELAYNA J. YOUCHAH, MAGISTRATE JUDGE  
OF THE DISTRICT COURT:

IT IS HEREBY STIPULATED, by and between the parties through their  
undersigned counsel, subject to the approval of the Court, that Lisa Marie Gurule  
("Gurule") be awarded attorney fees in the amount of SIXTY ONE HUNDRED

1 dollars (\$6,100.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. §  
2 2412(d), and no costs under 28 U.S.C. § 1920. This amount represents  
3 compensation for all legal services rendered on behalf of Plaintiff by counsel in  
4 connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

5 After the Court issues an order for EAJA fees to Gurule, the government  
6 will consider the matter of Gurule's assignment of EAJA fees to Marc Kalagian.  
7 The retainer agreement containing the assignment is attached as exhibit 1.  
8 Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability to honor the  
9 assignment will depend on whether the fees are subject to any offset allowed under  
10 the United States Department of the Treasury's Offset Program. After the order for  
11 EAJA fees is entered, the government will determine whether they are subject to  
12 any offset.

13 Fees shall be made payable to Gurule, but if the Department of the Treasury  
14 determines that Gurule does not owe a federal debt, then the government shall  
15 cause the payment of fees, expenses and costs to be made directly to Law Offices  
16 of Lawrence D. Rohlffing, Inc., CPC, pursuant to the assignment executed by  
17 Gurule.<sup>1</sup> Any payments made shall be delivered to Law Offices of Lawrence D.  
18 Rohlffing, Inc., CPC. Counsel agrees that any payment of costs may be made either  
19 by electronic fund transfer (ETF) or by check.

20 This stipulation constitutes a compromise settlement of Gurule's request for  
21 EAJA attorney fees, and does not constitute an admission of liability on the part of  
22 Defendant under the EAJA or otherwise. Payment of the agreed amount shall  
23 constitute a complete release from, and bar to, any and all claims that Gurule  
24

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25 <sup>1</sup> The parties do not stipulate whether counsel for the plaintiff has a cognizable lien  
26 under federal law against the recovery of EAJA fees that survives the Treasury  
Offset Program.

1 and/or Marc Kalagian including Law Offices of Lawrence D. Rohlring, Inc., CPC,  
2 may have relating to EAJA attorney fees in connection with this action.

3 This award is without prejudice to the rights of Marc Kalagian and/or the  
4 Law Offices of Lawrence D. Rohlring, Inc., CPC, to seek Social Security Act  
5 attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of  
6 the EAJA.

7 DATE: November 8, 2024 Respectfully submitted,

8 LAW OFFICES OF LAWRENCE D. ROHLRING, INC., CPC

9 */s/ Marc V. Kalagian*

10 BY: \_\_\_\_\_

11 Marc V. Kalagian  
12 Attorney for plaintiff  
13 LISA MARIE GURULE

14 DATE: November 8, 2024 JASON M. FRIERSON  
15 United States Attorney

16 */s/ David Priddy*

17 DAVID PRIDDY  
18 Special Assistant United States Attorney  
19 Attorneys for Defendant  
20 MARTIN O'MALLEY, Commissioner of Social  
21 Security (Per e-mail authorization)

22 **ORDER**

23 Approved and so ordered.

24 DATE: November 12, 2024

25   
26 THE HONORABLE ELAYNA J. YOUCHAH  
UNITED STATES MAGISTRATE JUDGE